

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF KENTUCKY  
SOUTHERN DIVISION at LONDON**

**CIVIL ACTION NO. 13-63-HRW**

**SHAMAR L. BANKS,**

**PETITIONER,**

**v.**

**ORDER**

**J.C. HOLLAND, Warden,**

**RESPONDENT.**

On March 20, 2013, Petitioner Shamar L. Banks file this Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254. Consistent with local practice, the matter was referred to United States Magistrate Robert E. Weir for initial consideration.

Magistrate Judge Weir has since issued a Report and Recommendation that this matter be transferred to the United States District Court for Middle District of Pennsylvania [Docket No. 2]. Petitioner filed a “Conditional Agreement with the Magistrate’s Recommended Disposition” wherein he does not object to the transfer [Docket No. 4] .

After carefully considering the record, the Court finds the report and recommendation well taken and shall adopt the same as and for its own opinion.

Accordingly, **IT IS THEREFORE ORDERED AND ADJUDGED,**

- (1) that the Magistrate Judge's report and recommendation [Docket No. 2] is hereby **APPROVED** and **ADOPTED** as and for the Court's opinion and
- (2) that in conformity therewith, this matter be **TRANSFERRED** to the United States District Court for Middle District of Pennsylvania.

This 2<sup>nd</sup> day of May, 2013.



Signed By  
Henry R. Wilhoit, Jr.  
United States District Judge

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Henry R. Wilhoit, Jr., Senior Judge